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11 IN THE UNITED STATES DISTRICT COURT

12 FOR THE NORTHERN DISTRICT OF CALIFORNIA

13 SAN JOSE DIVISION

14 VIET NGO,

15 Plaintiff,

16 v.

17 J. S. WOODFORD, et al.,

18 Defendants.

19 Case No. C 03-2210 JF

20 **JOINT CASE MANAGEMENT
21 CONFERENCE STATEMENT
22 AND [PROPOSED] CASE
23 MANAGEMENT ORDER
24 CONTINUING CMC**

25 Hearing: April 17, 2009
26 Time: 10:30 a.m.
27 Courtroom: 3, 5th Floor
28 Judge: The Honorable
Jeremy Fogel

The parties jointly submit this Case Management Statement and Proposed Order:

Following a settlement conference held before Magistrate Judge Elizabeth Laporte on September 17, 2008, the parties reached an agreement to fully settle this litigation. Since that time, the parties have negotiated on terms for a formal Settlement and Release Agreement. Recent discussions between the parties have resulted in a revised agreement. Despite the parties' efforts, however, this process is not complete. From March 23 through 25, 2009, counsel for Defendants Woodford, Nienhuis, Bracy, McGarvey, and Knudsen was engaged in the jury trial of *Donald Lemas v. Jill Brown*, N.D. Cal. No. C 07-00958 SI, which caused some delay in these continuing negotiations. Nevertheless, these negotiations are nearly complete, and all parties believe that the proposed agreement will be signed and executed, and a Request for Dismissal by Plaintiff, within the next sixty days.

To that end, the parties request that the Court continue the Case Management Conference for an additional sixty days to allow for execution of and compliance with the proposed Settlement and Release Agreement.

Dated: April 7, 2008

Respectfully submitted,

EDMUND G. BROWN JR.
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/s/ Jay C. Russell

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3 */s/ Connie Tsai*

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9 */s/ Timothy P. Murphy*

10 TIMOTHY P. MURPHY, ESQ.
11 Attorneys for Defendant Wooten

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13
14 CASE MANAGEMENT ORDER

15 Based upon the parties' Joint Case Management Conference Statement, and good cause
16 appearing,

17 IT IS ORDERED THAT the Case Management Conference is continued to June 19, 2009 at
18 10:30 a.m.

19 Dated: April 10, 2008.

20 
21 HON. JEREMY FOGEL
22 U.S. District Court Judge

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